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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James M. Derderian

Serial No.: 09/939,253

Filed: August 24, 2001

For: SEMICONDUCTOR DEVICES AND
SEMICONDUCTOR DEVICE
ASSEMBLIES INCLUDING A
NONCONFLUENT SPACER LAYER
(AMENDED)

Confirmation No.: 2189

Examiner: A. Williams

Group Art Unit: 2826

Attorney Docket No.: 2269-4830US
(01-0106.00/US)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 28, 2004
Date



Rachael M. Harris
Name (Type/Print)

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Office Action mailed on August 25, 2004, the three-month shortened statutory period for response to which expires on November 25, 2004.

Amendments to the claims are set forth in the listing of the claims, which begins on page 2 of this paper; and

Remarks start at page 12 of this paper.